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PTO/SB/21 (05-03)

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number

09/810,020

Filing Date

March 16, 2001

First Named Inventor

Robert Charles Downs

Group Art Unit

1651

Examiner Name

Kailash C. Srivastava

Total Number of Pages in This Submission

3

Attorney Docket Number

36-002200US

## ENCLOSURES (check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment / Response
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☒ Interview Summary
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition Routing Slip (PTO/SB/69) and Accompanying Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Small Entity Statement
- ☐ Request for Refund

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Additional Enclosure(s) (please identify below):
  - receipt acknowledgment postcard

### Authorization to Charge Deposit Account

Please charge Deposit Account No. 50-0893 for any additional fees associated with this paper or during the pendency of this application, including any extensions of time for consideration of the documents enclosed.

Remarks

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OCT 31 2003

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

TECH CENTER 1600/2900

Firm  
or  
Individual name

Christopher C. Sappenfield, Reg. No. 45,073, Quine Intellectual Property Law Group P.C.

Signature

*Chris Sappenfield*

Date

October 23, 2003

## CERTIFICATE OF MAILING

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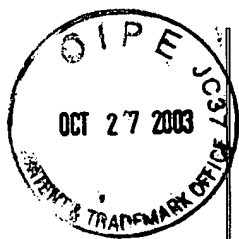
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*Deborah Berwick*

Date

October 23, 2003



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QUINE INTELLECTUAL PROPERTY LAW GROUP, P.C.

By: Deborah Berwick  
Deborah Berwick

Attorney Docket No: 36-002200US

Client Ref: P0037US00

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Robert Charles Downs

Application No.: 09/810,020

Filed: March 16, 2001

For: METHOD AND APPARATUS FOR  
PERFORMING MULTIPLE PROCESSING  
STEPS ON A SAMPLE IN A SINGLE  
VESSEL

Examiner: Kailash C. Srivastava

Art Unit: 1651

**Interview Summary**

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant provides herewith the following interview summary to be made of record in the above-identified case in response to Form PTOL-413, which was sent via facsimile on October 21, 2003. Applicant is responding within the one-month period specified in the aforementioned Form PTOL-413. The substance of the interview was as follows:

Participants: Michael Wityshyn (SPE) and Christopher Sappenfield (Atty)

Date of Interview: October 8, 2003

Interview Type: Telephonic

Exhibit shown or demonstration conducted: Not applicable.

Claims discussed: 1

Art discussed: U.S. Pat. 6,197,517 to Roberts in view of WO 97/15588 by Rudenko et al.

Agreement with respect to the claims discussed: No agreement as to the allowability of claim 1 was reached.

Identification of principal proposed amendments of a substantive nature discussed: No amendments to claim 1 were proposed.

General thrust of the applicant's principal arguments: The art discussed, whether viewed individually or in combination, does not teach or suggest all of the limitations of claim 1. In

addition, that the 35 U.S.C. § 112, 2<sup>nd</sup> paragraph, rejections asserted in the office action mailed July 1, 2003 should be withdrawn, because the limitations of the subject claims have proper antecedent basis.

General indication of any other pertinent matters discussed: The restriction requirement asserted in the office action mailed March 19, 2003.

General results or outcome of the interview: As provided in the aforementioned Form PTOL-413, it was agreed that:

- (1) the office action mailed July 1, 2003 will be vacated;
- (2) the restriction requirement will revert back to the original restriction requirement mailed September 18, 2002;
- (3) the claims to be examined are 1, 2, 4, 5, 7, 12, 14-20, 23-26, and 28, as per applicant's election of December 24, 2002;
- (4) the 35 U.S.C. § 112, 2<sup>nd</sup> paragraph, rejections of record will be dropped; and
- (5) the art rejection of record will also be dropped as all the limitations of claim 1 are not taught or suggested by the cited art.

In addition, a supplemental office action will be forthcoming and no further response by the applicant to the office action mailed July 1, 2003 is necessary.

Applicant thanks the examiner for the helpful interview. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 510-769-3520.

QUINE INTELLECTUAL  
PROPERTY LAW GROUP, P.C.  
P.O. BOX 458  
Alameda, CA 94501  
(510) 337-7871  
Fax (510) 337-7877

Respectfully submitted,



Christopher C. Sappenfield  
Reg. No. 45,073